

**ORDINANCE NO. 11
SERIES 2006**

AN ORDINANCE CHANGING THE ZONING DISTRICT CLASSIFICATION OF BLOCK 14, ORIGINAL GUNNISON, ACCORDING TO THE RECORDED PLAT THEREOF, CITY OF GUNNISON, COUNTY OF GUNNISON, STATE OF COLORADO, FROM C (COMMERCIAL DISTRICT) TO PUD-C (PLANNED UNIT DEVELOPMENT - COMMERCIAL), AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF GUNNISON, COLORADO.

WHEREAS, the Board of County Commissioners of the County of Gunnison, as owner of the property hereinafter described, has filed an application with the City of Gunnison, Colorado, seeking a change of zoning of said real property; and

WHEREAS, the Planning and Zoning Commission of the City of Gunnison, Colorado, held a public hearing on said application pursuant to notice published in accordance with the City Code of the City of Gunnison, Colorado, on August 16, 2006; and

WHEREAS, the Planning and Zoning Commission of the City of Gunnison, Colorado, recommended to the City Council the approval of the requested change of zoning by recommendation adopted August 16, 2006; and

WHEREAS, the City Council of the City of Gunnison, Colorado, held a public hearing on the requested change of zoning on September 12, 2006;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ORDAINS:

Section 1. Based upon the application seeking a change of zoning of the property hereinafter described, the evidence presented to the City Council during the public hearing on the application seeking a change of zoning of the property hereinafter described, and further, based on the recommendation of the Planning and Zoning Commission of the City of Gunnison, Colorado, the City Council hereby finds as follows:

- A. That the property hereinafter described for which a change of zoning classification is sought is the site of the existing Gunnison County Courthouse, which houses government administration facilities and offices, district and county courtroom facilities, public meeting rooms, and the Gunnison County detention facility.
- B. That the proposed PUD plan submitted by the applicant proposes no changes in the use of the real property comprising the Gunnison County Courthouse, but rather, proposes to expand the existing Gunnison County detention facility and to add a public meeting room.
- C. That as there is no change in use proposed for the property hereinafter described, the proposed change in zoning district classification will be compatible with surrounding zone districts, land uses, and neighborhood character.
- D. That the existing Gunnison County detention facility does not have the space to meet the physical and legal needs of the community, including the City of Gunnison.
- E. That the Board of County Commissioners of Gunnison County formed a review committee, with substantial citizen involvement, to consider the possible alternatives to expansion of the Gunnison County detention facility at the existing Gunnison County Courthouse, which committee determined that the expansion of the Gunnison County detention facility at the existing Gunnison County Courthouse was the most efficient use of public funds.

- F. That the expansion of the Gunnison County detention facility at the existing Gunnison County Courthouse confers a significant public benefit upon the citizens of Gunnison County, including the citizens of the City of Gunnison, by efficiently using public funds and reducing the tax burden borne by those citizens.
- G. That the proposed change of zoning district classification is consistent with the City of Gunnison Master Plan in that it preserves the central business area as the site for government services serving the City of Gunnison and Gunnison County.
- H. That the requested change of zoning district classification is consistent with the purposes of the underlying zone district, C (Commercial), in that the uses proposed are allowed in said district.
- I. That the granting of the requested change of zoning district classification will allow the Gunnison County Courthouse to remain in its historic location as permitted by the underlying zone district classification, C (Commercial).
- J. The existing Gunnison County Courthouse has 38 off-street parking spaces, which number does not satisfy the off-street parking requirements of the existing Gunnison County Courthouse as required by the Gunnison Municipal Code in the C (Commercial) district, which would require approximately 142 parking spaces.
- K. The proposed expansion of the Gunnison County detention facility will not significantly add to the parking requirements of the existing courthouse in that the proposed development will provide 43 off-street parking spaces, and the proposed expansion of the Gunnison County detention facility will not significantly increase the demand for on-street parking in the area, and will retain the mature landscaping and historic appearance of the Gunnison County Courthouse to the extent possible.
- L. The existing Gunnison County Courthouse is 42 feet in height. The requested maximum height of the main structure of the expanded facility is 43 feet, with an additional 2 feet for architectural projections, such as cupolas or cornices which is consistent with the height of the existing facility.
- M. That an existing sewer main traverses the real property. The proposed expansion will be located over the sewer main. The applicant needs to address the future relocation of such sewer main in the event it becomes necessary.

Section 2. That based on the foregoing findings of the City Council of the City of Gunnison, Colorado, the City Council hereby determines that the change of zoning of the property hereinafter described, upon the conditions set forth herein, is in the best interests of the City of Gunnison, Colorado, and its citizens.

Section 3. That the zoning classification of the real property described as Block 14, Original Gunnison, according to the recorded plat thereof, City of Gunnison, County of Gunnison, State of Colorado, is hereby changed from C (Commercial District) to PUD-C (Planned Unit Development - Commercial).

Section 4. That the change in zoning classification as requested by the applicant is specifically conditioned upon the following limitations and conditions:

- A. Uses Allowed: Government administrative facilities and offices; detention facilities; and off-street parking.
- B. Maximum Square Footage of Floor Area: A total of 80,350 square feet.
- C. Maximum Size of Building Footprint: 33,250 square feet.
- D. Maximum Building Height: The height of the detention facility expansion shall be limited to 43 feet for the main structure, and with architectural projections no greater than 45 feet in height.
- E. Minimum Setback: The minimum setback between any building on the site and the property line shall be 10 feet.
- F. Parking Spaces: 43 off-street parking spaces shall be provided.
- G. Maximum Percentage of Lot Coverage for Parking: 18 per cent, which is 14,570 square feet.
- H. Minimum Landscape Percentage Coverage: 26 per cent, which is 21,060 square feet.
- I. Other Development Standards: All other development standards not modified by the foregoing conditions shall be as set forth in the underlying zoning of C (Commercial) District.
- J. Intergovernmental Agreement. The applicant shall enter into an intergovernmental agreement addressing the following: The architectural design of the expansion of the courthouse facilities to enhance the architectural design of the courthouse, the possible relocation of the existing sewer line which traverses the property, and participation of the applicant in the assessment and improvement of future parking facilities for the Central Business area of the City of Gunnison.

Section 5. That the official zoning map of the City of Gunnison, Colorado, shall be amended to reflect the change in zoning district classification of the property.

INTRODUCED, READ, PASSED, AND ORDERED PUBLISHED this 12th day of September, 2006, on first reading, and introduced, read, and adopted on second and final reading this 14th day of November, 2006.

Mayor

(SEAL)
ATTEST:

City Clerk